

PTO/SB/21 (07-06)

Approved for use through 09/30/2006

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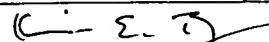
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<b>TRANSMITTAL FORM</b>		Application Number	10/701,865
		Filing Date	November 5, 2003
		First Named Inventor	Joseph J. Kubler
		Art Unit	2616
		Examiner Name	MOORE, Ian N.
Total Number of Pages in This Submission	12	Attorney Docket Number	14364US03

**ENCLOSURES (check all that apply)**

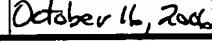
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Return-Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Non Patent Literature Document as listed on PTO Form PTO/SB08b; Duplicate copies of PTO/SB/08a and PTO/SB/08b (4pp)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

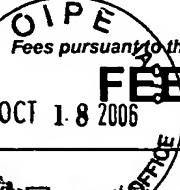
Firm	McAndrews Held & Malloy, Ltd.		
Signature			
Printed Name	Kevin E. Borg	Reg. No.	51,486
Date	October 16, 2006		

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

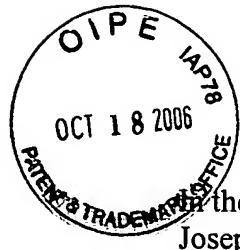
Name (Print/type)	Kevin E. Borg	Registration No. (Attorney/Agent)	51,486
Signature			Date 

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 <b>Effective on 12/08/2004</b> <b>Fees pursuant to the consolidated Appropriates Act. 2005 (H.R. 4818).</b> <b>OCT 18 2006</b> <b>FEE TRANSMITTAL</b> <b>for FY 2006</b> <small>PATENT AND TRADEMARK OFFICE</small>		<b>Complete if Known</b>					
		Application Number	10/701,865				
		Filing Date	November 5, 2003				
		First Named Inventor	Joseph J. Kubler				
		Examiner Name	MOORE, Ian N.				
<input checked="" type="checkbox"/> I represent claims small entity status. See 37 CFR 1.27		Art Unit	2616				
<b>TOTAL AMOUNT OF PAYMENT</b> (\$ 180.00)		Attorney Docket No.	14364US03				
<b>METHOD OF PAYMENT</b> (check all that apply)							
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____							
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>13-0017</u>		Deposit Account Name: <u>McAndrews Held &amp; Malloy</u>					
For the above-identified deposit account, the Director is hereby authorized to (check all that apply)							
<input checked="" type="checkbox"/> Charge Fee(s) indicated below		<input type="checkbox"/> Charge Fee(s) indicated below, except for the filing fee					
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fees(s)		<input checked="" type="checkbox"/> Credit any overpayments					
under 37 CFR 1.16 and 1.17							
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
<b>FEE CALCULATION</b> (All the fees below are due upon filing or may be subject to a surcharge.)							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
<b>2. EXCESS CLAIM FEES</b>							
<u>Fee Description</u>							
Each claim over 20 (including Reissues) <u>Fee (\$)</u> <u>Fee (\$)</u>							
Each independent claim over 3 (including Reissues) <u>Fee (\$)</u> <u>Fee (\$)</u>							
Multiple dependent claims <u>Fee (\$)</u> <u>Fee (\$)</u>							
<u>Total Claims</u> -20 or HP		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u> <u>Fee</u> <u>Fee Paid (\$)</u>		
HP = highest number of total claims paid for, if greater than 20							
<u>Indep. Claims</u> -3 or HP		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Fee</u> <u>Fee Paid (\$)</u>		
HP = highest number of independent claims paid for, if greater than 3							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u> -100		<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
		/50	(round up to a whole number)	x	=		
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount) <u>Fee Paid (\$)</u>							
Other (e.g., late filing surcharge): <u>Information Disclosure Statement</u> <u>Fee Paid (\$)</u>							
<b>SUBMITTED BY</b>							
Signature	<u>I - E - D</u>		Registration No. (Attorney/Agent)	51,486	Telephone	(312)775-8000	
Name (print/type)	Kevin E. Borg		Date	<u>October 16, 2006</u>			

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Our Case No. 14364US03)**

the Application of:  
Joseph J. Kubler, et al.

Serial No. 10/701,865

Filed: November 5, 2003

For: Hierarchical Data Collection  
Network Supporting Packetized  
Voice Communications Among  
Wireless Terminals And Telephones

Examiner: MOORE, Ian N.

Group Art Unit: 2616

Confirmation No. 7803

)                   **CERTIFICATE OF MAILING**

)  
I hereby certify that this correspondence is being  
deposited with the United States Postal Service,  
First Class Mail, on the date indicated below and  
is addressed to: Mail Stop: Amendment,  
Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on this

) Date: October 16, 2006

) By: (C. E. B.)  
Kevin E. Borg  
Reg. No. 51,486

**TRANSMITTAL OF INFORMATION DISCLOSURE  
STATEMENT AFTER APPLICATION FILING DATE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

- \* PTO Form PTO/SB/08a (in duplicate)
- \* PTO Form PTO/SB/08b (in duplicate)
- \* A copy of Non Patent Literature Document as listed on PTO Form PTO/SB/08b

**FEE DETERMINATION**

10/16/2006 TBESHAM1 00000047 138017 10701865

- \* A fee of \$180 is believed to be due because:

01 FC:1806 180.00 DA

The applicant(s) believe(s) that this statement and enclosures are being filed after the  
first Office Action mailed by the PTO.

## **FEE PAYMENT**

The Commissioner is hereby authorized to charge \$180 (to cover the Information Disclosure Statement Fee) and any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

## **REQUEST FOR CONSIDERATION**

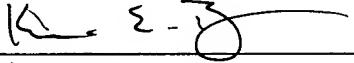
This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO form PTO/SB/08 and return one copy to the applicants to indicate consideration of the cited references.

Respectfully submitted,

Date: *October 16, 2006*

  
\_\_\_\_\_  
Kevin E. Borg

Reg. No. 51,486

McAndrews, Held & Malloy  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000



PTO/SB/08a (07-06)

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 2

Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<i>Application Number</i>	10/701,865
				<i>Filing Date</i>	November 5, 2003
				<i>First Named Inventor</i>	Joseph J. Kubler
				<i>Art Unit</i>	2616
				<i>Examiner Name</i>	MOORE, Ian N.
<i>(Use as many sheets as necessary)</i>				<i>Attorney Docket Number</i>	14364US03
Sheet	1	of	2		

## U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		6,850,510	February, 2005	Kubler et al.	
		5,506,847	April, 1996	Shobatake	
		5,650,994	July, 1997	Daley	
		5,745,556	April, 1998	Ronen	
		5,842,224	November, 1998	Fenner	
		6,108,704	August, 2000	Hutton et al.	
		6,131,121	October, 2000	Mattaway et al.	
		6,389,010	May, 2002	Kubler et al.	
		5,818,836	October, 1998	DuVal	
		5,850,385	October, 1998	Esaki	
		5,737,395	April, 1998	Irribarren	
		5,608,786	March, 1997	Gordon	
		5,726,984	March, 1998	Kubler et al.	
		4,789,983	December, 1988	Acampora et al.	
		5,359,598	October, 1994	Steagall et al.	
		5,434,858	July, 1995	Focarile et al.	
		5,446,736	August, 1995	Gleeson et al.	
		4,837,858	June, 1989	Ablay et al.	
		5,425,051	June, 1995	Mahany et al.	
		5,295,154	March, 1994	Meier et al.	
		4,538,259	August, 1985	Moore et al.	
		5,142,534	August, 1992	Simpson et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.4. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				<b><i>Complete if Known</i></b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<i>Application Number</i>	10/701,865
				<i>Filing Date</i>	November 5, 2003
				<i>First Named Inventor</i>	Joseph J. Kubler
				<i>Art Unit</i>	2616
				<i>Examiner Name</i>	MOORE, Ian N.
(Use as many sheets as necessary)				<i>Attorney Docket Number</i>	
Sheet	2	of	2	14364US03	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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